



845 Third Avenue  
New York, NY 10022  
(212) 759-4600

NEW YORK  
PUERTO RICO  
TEXAS  
ILLINOIS  
MASSACHUSETTS

wolfpopper.com

DIRECT DIAL: 212 451-9667  
EMAIL: [ablander@wolfpopper.com](mailto:ablander@wolfpopper.com)

**MEMO ENDORSED**

January 14, 2022

**VIA ECF & EMAIL (Failla [NYSDChambers@nysd.uscourts.gov](mailto:NYSDChambers@nysd.uscourts.gov))**

Judge Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**Re: *Martínek v. AmTrust Financial Services, Inc.*, 1:19-cv-08030-KPF (S.D.N.Y.)**

Dear Judge Failla:

We represent Lead Plaintiff Jan Martínek and the putative class in the above-referenced matter and we write pursuant to the procedures in Rule 9 of Your Honor's Individual Rules regarding the electronic filing of documents with redactions or under seal.

Specifically, we seek leave to file under seal three exhibits attached to the declaration submitted in support of Plaintiff's spoliation motion, which Plaintiff is filing contemporaneously herewith (the "Exhibits"). The first exhibit reflects the combined transcript of Chaya Cooperberg's deposition sessions. The second exhibit is an email among various AmTrust employees and counsel for certain AmTrust board members. The third exhibit is a litigation hold notice issued by AmTrust.<sup>1</sup>

Plaintiff takes no position on the confidentiality of the Exhibits, but makes this motion in deference to Defendants' wishes.

Respectfully submitted,

/s/ Adam J. Blander

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<sup>1</sup> The parties met and conferred prior to this filing, and defense counsel withdrew their confidentiality designations from the remaining exhibits attached to the declaration.

Application GRANTED.

The Clerk of Court is directed to file Exhibits A, E, and W of the January 14, 2022 declaration of Adam J. Blander in support of Plaintiff's motion for discovery sanctions under seal, viewable only to the parties and Court. (Dkt. #75).

The Clerk of Court is further directed to terminate the motion at docket entry 74.

Dated: January 18, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE